

5259. Misbranding of "Canary Brand Cotton Seed Meal." U. S. * * * v. Huntsville Warehouse Co., a corporation. Plea of guilty. Fine, \$100. (F. & D. No. 7674. I. S. No. 12546-1)

On October 26, 1916, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Huntsville Warehouse Co., a corporation, Huntsville, Ala., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 19, 1915, from the State of Alabama into the State of Ohio, of a quantity of an article labeled in part, "Canary Brand Cotton Seed Meal," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Crude fiber (per cent)-----	11.5
Protein (N x 6.25) (per cent)-----	37.5
Low in protein; high in fiber.	

Misbranding of the article was alleged in the information for the reason that the following statements regarding it and the ingredients and substances contained therein, appearing on the label, to wit, "High Grade Cotton Seed Meal 41 to 45% protein Guaranteed Analysis * * * Protein 41% * * * Fiber, maximum 10%. These are minimum guarantees frequently run higher." were false and misleading in that they indicated to purchasers thereof that it contained not less than 41 per cent of protein and not more than 10 per cent of fiber; and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained not less than 41 per cent of protein and not more than 10 per cent of fiber, when, in truth and in fact, it contained less than 41 per cent of protein and more than 10 per cent of fiber, to wit, 37.5 per cent of protein and 11.5 per cent of fiber.

On April 3, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100.

R. A. PEARSON, Acting Secretary of Agriculture.